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August 6, 2007  
Via ECF

The Hon. Richard M. Berman, U.S.D.J.  
The U.S. Courthouse  
500 Pearl Street  
New York, NY

RE: Nippon Yusen Kaisha v. Zircon Logistics  
07 Civ. 2874 (RMB)  
Our File: 8826/JDM

Your Honor:

We are the attorneys for plaintiff in the above captioned matter which was commenced 118 days ago. Plaintiff brought this suit in an attempt to obtain security for its claim by means of a maritime attachment under Supplemental Admiralty Rule B and 9 U.S.C. 8. We have been unsuccessful in obtaining any attachments. The claims pleaded in the complaint are now the subject of a maritime arbitration before a single arbitrator named Svend Hansen of the Society of Maritime Arbitrators in which the defendant has appeared.

Under the circumstances, if the Court does not wish to allow the case to remain open on its docket, could we have a dismissal without prejudice and with leave to reopen - in the event plaintiff prevails in the arbitration – for purposes of confirming and enforcing any award?

Respectfully,  
CICHANOWICZ CALLAN KEANE VENGROW  
& TEXTOR, LLP

By: /s/ Joseph De May, Jr.  
Joseph De May, Jr.